



**Item 5 General statement, including land issues, education and health**  
**Ainu Resource Centre**  
**Yuuki Hasegawa**

Thank you Mr. Chairperson.

I would like to take this opportunity to bring to your attention the fact that the Japanese Government has yet to recognize the Ainu people as the indigenous people of Japan. The government's current position on this issue, is that before the Ainu are granted any special rights, it is first essential to determine whether or not the Ainu are the indigenous people of Japan. Let me illustrate the ignorance of this attitude. This year represents the twentieth anniversary of the Working Group on Indigenous Populations ~~and 15(2) years of Ainu participation in this forum~~. What's more, it was in 1992 when the then President of the Ainu Association of Hokkaido, Mr. Giichi Nomura, addressed attendees of the Opening Ceremony of the International Year of the World's Indigenous People, held at the Headquarters of the United Nations in New York. From that time, the Japanese Government has taken the very mystifying stance of questioning whether or not the Ainu are indigenous. This year represents the tenth anniversary of Mr. Nomura's speech. The Ainu people are very interested to know the precise details of what method, and which specific body, the Government plans to use, to determine whether the Ainu are an indigenous people. Moreover we are very eager to hear when these results will be released. If the Japanese Government fails to seriously address this issue, this will surely put their Government representative at the Permanent Forum on Indigenous Issues in an extremely embarrassing position.

The concluding observations of the 1998 CCPR with regards to Japan, clearly stated that there was a need for the Japanese Government to guarantee land rights as well as rights to their language and higher education for the Ainu people.

Also, in 2001, the CERD argued strongly for the compensation of the Ainu people, due to hardships resulting from the control of the Ainu people, through the Hokkaido Former Aborigine Protection Act. This law, in many respects had the Ainu people at the mercy of the Japanese Government for close to 100 years, and has subsequently been acknowledged as a discriminatory law by the Japanese Government.

Unfortunately due to the proposed implementation in Hokkaido of a policy titled 're-establishing the traditional lifestyle environment of the Ainu', it has become very difficult to approach issues of compensation and land rights. This policy is designed to promote the passage of Ainu Culture from generation to generation, through the creation of traditional Ainu settings. As this policy doesn't address the issues of compensation and land rights within its framework, and indeed makes it very difficult to do so, it is of great concern to us.

One of the primary reasons for the current situation as now described, is closely related to the governmental report titled 'Measures regarding the Future Direction of the Ainu', released in 1996, which brings to light the various attitudes of the Japanese Government.

In response to that report, the CERD had a single piece of advice to the Japanese Government. In the final observation of the CERD, it was strongly recommended that Japan immediately take measures to ratify convention ILO No. 169 (with regards to Indigenous and Tribal Peoples), and that they make fundamental improvements to their policies based on this convention. The Ainu people want to strongly express our support for the proposals outlined in this report, and we **also** call on the Japanese Government to ratify convention ILO 169 without delay, and to carry out fundamental amendments in line with this convention with regards to Ainu policy.